

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

IN RE:

WILLIAM WEBB SCHLUETER,

Debtor.

Case No. 15-70242

JUDY A. ROBBINS,
UNITED STATES TRUSTEE
FOR REGION FOUR,

Movant,

Motion No. _____

v.

WILLIAM WEBB SCHLUETER,

Respondent.

Notice of Motion and Hearing

The United States Trustee has filed a Motion for Sanctions.

PLEASE TAKE NOTICE that a hearing on the forgoing Motion will be held on August 24, 2015, at 2:00 p.m. p.m. in Roanoke, US Bankruptcy Court, 2nd Flr, 210 Church Ave., Roanoke, VA 24011.

If you do not want the Court to grant the relief requested in the motion, then, pursuant to Local Rule 9013-1, you must file a response on or before August 17, 2015. Absent a timely filed response, a proposed order will be tendered to the Court granting the relief requested in the motion and the Court may treat the motion as conceded and enter the proposed order without the necessity of holding a hearing.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

Dated: 20 July 2015

Respectfully submitted,

Margaret K. Garber (VSB No. 34412)
Office of the United States Trustee
210 First Street, Suite 505
Roanoke, VA 24011
(540) 857-2806
margaret.k.garber@usdoj.gov

JUDY A. ROBBINS,
United States Trustee for Region Four

By: /s/ Margaret K. Garber

Motion for Sanctions

Comes now the United States Trustee for Region Four and moves this court to sanction the debtors, and in support thereof, the United States Trustee states as follows:

1. This case was commenced by the filing of a voluntary petition pursuant to Chapter 13 of Title 11 on or about February 27, 2015 by William Webb Schlueter ("Schlueter" or "debtor"). The case was converted to a case under Chapter 7 on May 27, 2015. The debtor failed to appear at the initial Meeting of Creditors and at the continued Meeting of Creditors.

2. Prior to this bankruptcy filing, the debtor filed a voluntary petition pursuant to Chapter 13 of Title 11 on October 31, 2014. The case was assigned Number 14-71512. On January 12, 2015, this case was dismissed on the motion of the Chapter 13 trustee.

3. Prior to this bankruptcy filing, the debtor filed a voluntary petition pursuant to Chapter 13 of Title 11 on August 27, 2012. The case was assigned Number 12-71583. On October 12, 2012, this case was dismissed on the motion of the Chapter 13 trustee.

4. Prior to this bankruptcy filing, the debtor filed a voluntary petition pursuant to Chapter 13 of Title 11 on March 19, 2010. The case was assigned Number 10-70660. On May 11, 2012, this case was dismissed for the debtor's failure to make plan payments.

5. Prior to this bankruptcy filing, the debtor filed a voluntary petition pursuant to Chapter 13 of Title 11 on November 9, 2009. The case was assigned Number 09-72859. On January 13, 2010, this case was dismissed on the motion of the Chapter 13 trustee.

6. These multiple filings and the debtor's disregard of the duties and obligations imposed upon him by the United States Bankruptcy Code, indicate that the current filing, at least, was made with bad faith, and is an abuse of the provisions of the Bankruptcy Code.

7. The debtor has continuously abused the bankruptcy system.

8. That said serial filings are in bad faith and are burdensome to the Court, creditors, the Clerk of U.S. Bankruptcy Court, the trustees and others.

WHEREFORE, the United States Trustee requests that this Court order the following relief:

1. That this case be dismissed.
2. That the debtor be prohibited from filing any bankruptcy petition for a period of 365 days from the date of the Order dismissing this case.
3. The United States Trustee requests such other relief as the Court may deem just.

Dated: 20 July 2015

Margaret K. Garber (VSB No. 34412)
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210 First Street, Suite 505
Roanoke, VA 24011
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Respectfully submitted,

JUDY A. ROBBINS,
United States Trustee for Region Four

By: /s/ Margaret K. Garber

Certificate of Service

I hereby certify that a true and correct copy of the foregoing motion and notice was electronically filed on this the 20th day of July, 2015 with the United States Bankruptcy Court and that copies of this motion were mailed by first class mail to the debtor, and, if a matrix of creditors was filed by the debtor, to all of the creditors listed on the matrix as well as the trustee.

/s/ Margaret K. Garber
Margaret K. Garber